

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
VIOREL SIMON,)
Defendant.)
Case No. 09-00143-06-CR-W-ODS

**ORDER (1) ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DOC. 311), AND (2) ACCEPTING DEFENDANT'S GUILTY
PLEA**

On September 7, 2010, the Honorable Sarah W. Hays issued her Report and Recommendation concluding that the Court should accept Defendant's guilty plea and adjudge Defendant guilty of Counts 2 and 63 of the Superseding Indictment. The parties have not filed objections to the Report and Recommendation, and the time for doing so has passed. 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). Upon careful and independent review of the plea transcript and plea agreement, as well as the applicable law, the Court agrees with the Report that Defendant's guilty plea was knowledgeable and voluntary and that the offenses charged are supported by an independent basis in fact containing each of the essential elements of such offenses. Judge Hays' Report and Recommendation is adopted as the Order of the Court. Defendant's guilty plea is accepted, and the Court adjudges Defendant guilty of Counts 2 and 63 of the Superseding Indictment.

IT IS SO ORDERED.

/s/ Ortrie D. Smith
ORTRIE D. SMITH, JUDGE
UNITED STATES DISTRICT COURT

DATE: October 4, 2010